

United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Cornelius L. Carswell Case Number: 5:01CR00068-001
Name of Sentencing Judicial Officer: Honorable Frederick J. Scullin, Jr., Chief U.S. District Judge
Date of Original Sentence: November 16, 2001
Original Offense: Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(1)
Original Sentence: 34 Months Imprisonment, 3 Years Supervised Release
Type of Supervision: Supervised Release Date Supervision Commenced: May 9, 2003
Asst. U.S. Attorney: Richard R. Southwick Defense Attorney: Lisa Peebles

PETITIONING THE COURT

☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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| 1. | <p><u>General Condition #1: While on supervised release, you shall not commit another Federal, state, or local crime.</u> On June 10, 2005, the Syracuse Police Department responded to a call from the victim, Jada Hallsworth regarding a physical domestic dispute at her residence. The police report alleges Hallsworth and her friend, Shermell Sherman were at Hallsworth's residence, watching their respective children together. They both have children by Carswell. The offender arrived at Hallsworth's residence to pick up his children for a visit. Carswell's current girlfriend, Jacqueline Grant engaged in a verbal argument with Sherman. Upon hearing this, Carswell exited the vehicle and verbally threatened Sherman with harm and violence if she continued to speak to Grant.</p> |
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After this, Carswell approached Hallsworth, expecting to pick up the children for a visit. Hallsworth felt uncomfortable letting the children go with Carswell, after his repeated threats of violence towards Sherman. Hallsworth told Carswell to return the next day, and she went inside her home. The police report describes this angered the offender, and then he rushed inside her home, charging Hallsworth, holding his fist back, in a threatening manner, as if to punch her in the head. Hallsworth stated she became afraid, believing the offender was going to hurt her by punching her in the head. The defendant was subsequently arrested on June 13, 2005, and charged with Menacing, 3rd Degree, a Class B Misdemeanor. On October 13, 2005, Carswell was granted a conditional discharge on the charge of Menacing 3rd Degree. This information is based on an arrest report obtained from the Syracuse Police Department and verification from officials at Onondaga County Court. (Grade C Violation)

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2. General Condition #1: While on supervised release, you shall not commit another Federal, state, or local crime. On June 13, 2005, the defendant was arrested by the Syracuse Police Department and charged with Harassment, 2nd Degree, a Violation. The police report alleges on January 9, 2005, the defendant intervened in a marital dispute between his nephew and his wife by punching his nephew in the mouth. A bench warrant has been issued for Carswell's arrest because of his failure to appear in court to address the charge of Harassment 2nd Degree. This information is based on an arrest report obtained from the Syracuse Police Department and verification from officials at Syracuse City Court. (Grade C violation)
3. Special Condition#1: You shall participate in a program for substance abuse which shall include testing for drug and alcohol use and may include outpatient and/or inpatient treatment. The program shall be approved by the U.S. Probation Office. On November 3, 2005, the defendant appeared before the Court to address his noncompliance with calling the drug testing program nightly. The Court advised the defendant that the probation office will notify the Court if he fails to call the drug testing program. On January 31, 2006, Carswell failed to call the drug testing program. On February 13, 2006, Carswell admitted he failed to call the drug testing program on January 31, 2006. He provided no reasonable explanation for his failure to call the drug testing program. This information is based on the personal knowledge and records of the probation officer. (Grade C Violation)

U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

Respectfully submitted,

PAUL W. DeFELICE
Chief U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 27, 2006

Approved by:


LORI ALBRIGHT
Supervising U.S. Probation Officer

by:

GENEVIEVE V. DEBLOIS
U.S. Probation Officer

- ☐ No Action
☒ **The Issuance of a Summons**
☐ Other
☐ The Issuance of a Warrant. This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone EXCEPT that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.



Signature of Judicial Officer

3/3/06

Date